



THE COMMISSIONER IS AUTHORIZED
TO CHARGE ALL DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 7321

Hiroyuki FUJIMURA et al. : Docket No. 2000_0345

Serial No. 09/532,153 : Group Art Unit 1764

Filed March 21, 2000 : Examiner A. Wachter

METHOD AND APPARATUS FOR
TREATING WASTES BY GASIFICATION

RECEIVED
JAN 07 2004
TC 1700

TERMINAL DISCLAIMER UNDER RULE 321

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your petitioners, Ebara Corporation, residing at 11-1, HanedaAsahi-cho, Ohta-ku, Tokyo, Japan, and Ube Industries, Ltd., residing at 12-32, 1-chome Nishihonmachi, Ube-shi, Yamaguchi, Japan, represent that they are the assignees of the entire right, title and interest in and to application Serial No. 09/532,153, filed March 21, 2000, for METHOD AND APPARATUS FOR TREATING WASTES BY GASIFICATION and evidenced by an Assignment recorded on September 24, 1997 at Reel 8722, Frames 0424-0426. Your petitioners Ebara Corporation and Ube Industries, Ltd. hereby disclaim the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 6,455,011, issued September 24, 2002, and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to the patent shall be the same as the legal title to U.S. Patent No. 6,455,011, this agreement to run with any patent granted on the above-identified application and to be binding on the grantees, their successors or assigns.

12/31/2003 SDENB0B1 00000034 09532153

01 FC:1814

110.00 0P

Petitioners do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,455,011 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.32(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer except for the separation of legal title stated above.

In accordance with 37 CFR 3.73(b), the evidentiary documents have been reviewed and it is certified that, to the best of the Petitioners' knowledge and belief, the entire right, title and interest is in the Petitioners seeking to take action.

The undersigned verifies that he is empowered to sign this document on behalf of the assignees.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the likes so made, are punishable by fine or imprisonment, or both, under Section 1001, title 18 of the United States code, and that such willful false statements may jeopardized the validity of the application or any patent issuing thereon.

Respectfully submitted,

Hiroyuki FUJIMURA et al.

By:


Charles R. Watts
Registration No. 33,142
Attorney for Applicants

CRW/asd
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
December 23, 2003